



**ORDINANCE NO. 2008-25**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1324223201, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, Wilma Hoffman and Karen Porter, Trustee: Burt and Florence Porter Trust, the owners of the parcel of real property situate in the unincorporated area of Ada County and particularly described in Section 2 of this ordinance has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 8, 2008, as required by Section 67-6525, Idaho Code, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of C-1, Light Commercial; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on August 19, 2008 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted with a zoning classification of C-1, Light Commercial; and

WHEREAS, the zoning classification of C-1 is appropriate to meet the requirements of the Kuna City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that

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the owners of said property have requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. S1324223201 and more particularly described in "Exhibit A"- Legal Description and "Exhibit B"- Site Map, attached hereto and incorporated herein by reference as if fully set forth below, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Kuna.

Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as C-1, Light Commercial as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the C-1 zoning land use classifications.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.


Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

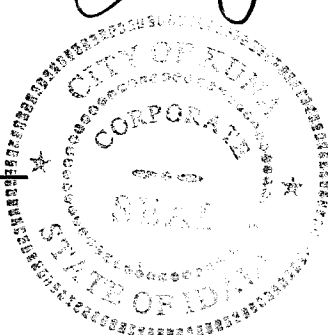
DATED this 2<sup>nd</sup> day of September, 2008.

CITY OF KUNA  
Ada County, Idaho

  
\_\_\_\_\_  
J. Scott Dowdy, Mayor

ATTEST:

  
\_\_\_\_\_  
Lynda Burgess, City Clerk



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# WARRANTY DEED

EXHIBIT A

FOR VALUE RECEIVED

MAY 27 2008

JACKIE FRED ROBERTS and MARTHA JOAN ROBERTS, Husband and Wife **KUNAP & Z**  
the Grantors, do es hereby grant, bargain, sell and convey unto

BURT D. PORTER and FLORENCE C. PORTER, Husband and Wife;  
the Grantees, whose address is Rt. 3, Deer Flat Road, Kuna, Idaho  
the following described premises, to-wit:

Part of the Northwest quarter of the Northwest quarter of Section 24,  
Township 2 North, Range 1 West, Boise-Meridian, Ada County, Idaho,  
more particularly described as follows:  
Commencing at the Northwest corner of Section 24, Township 2 North,  
Range 1 West, Boise-Meridian, thence  
South 89°13'27" East 551.27 feet along the North section line of said  
section 24 to the Point of Beginning; thence continuing  
South 89°13'27" East 397.09 feet to a point; thence leaving said section  
line  
South 00°07'37" East 432.51 feet to a point on the centerline of the  
Badly Canal; thence along said canal centerline  
North 45°21'25" West 79.01 feet to a point; thence  
North 41°47'40" West 512.86 feet to the Point of Beginning.

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee<sup>s</sup>,  
their heirs and assigns forever. And the said Grantor<sup>s</sup> do hereby covenant to  
and with the said Grantee<sup>s</sup>, that they the owner<sup>s</sup> in fee simple of said premises; that  
said premises are free from all encumbrances except for reservations of record, easements of  
record, general taxes and irrigation assessments for the year 1985, and subsequent  
years, which are not yet due and payable;

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 1985

*Jackie Fred Roberts*  
JACKIE FRED ROBERTS

*Martha Joan Roberts by Jackie Fred Roberts*  
MARTHA JOAN ROBERTS BY HER ATTORNEY IN  
FACT JACKIE FRED ROBERTS

## ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.

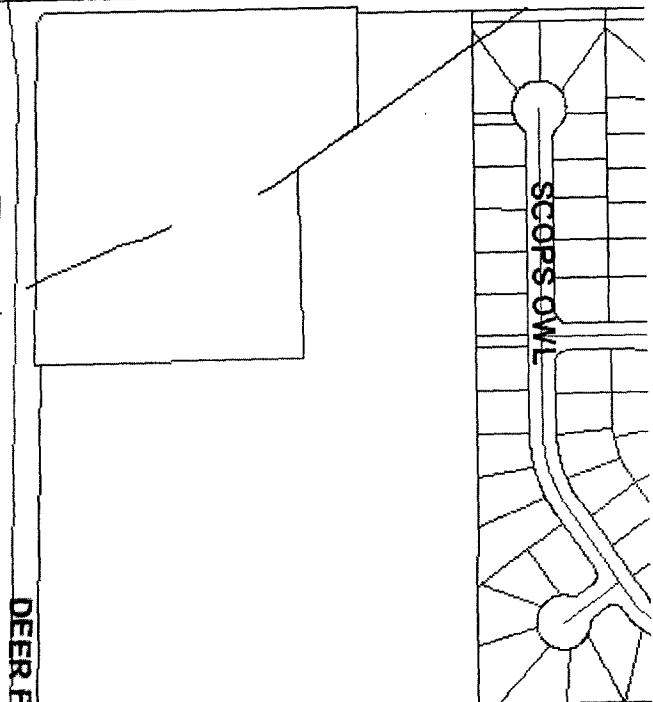
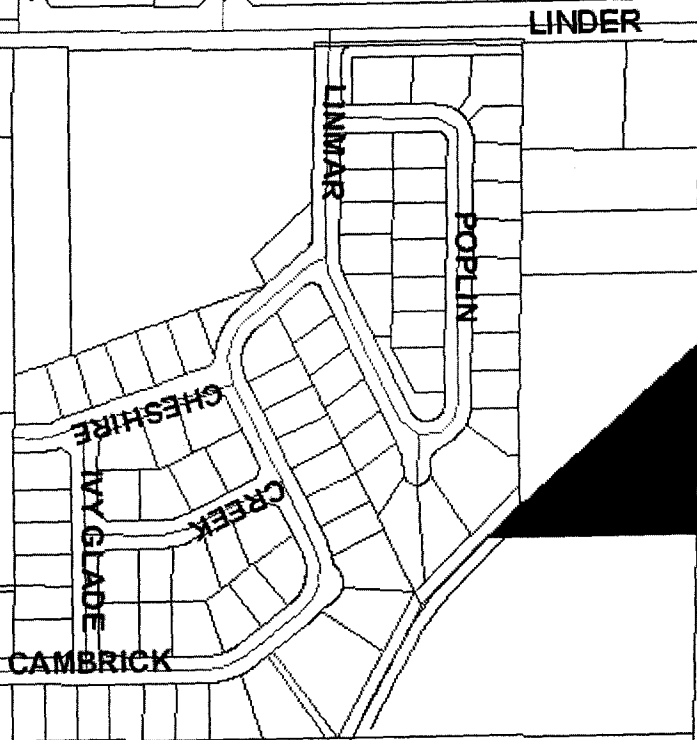
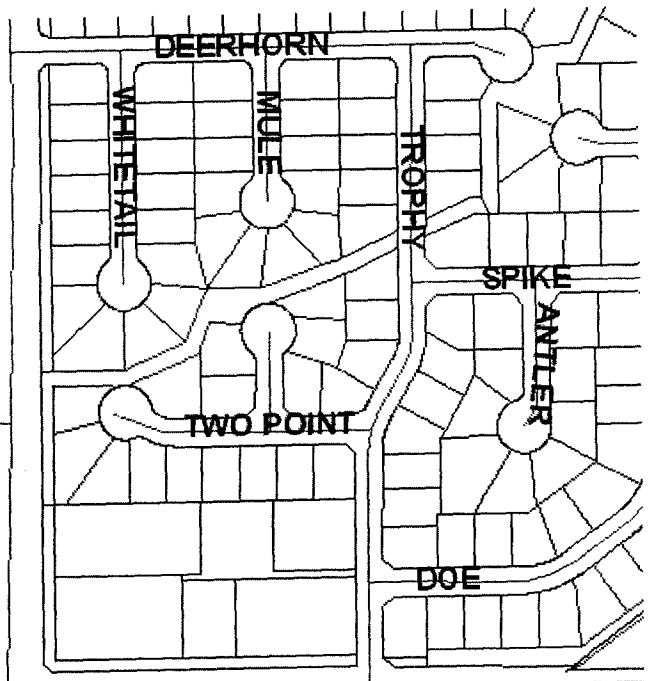
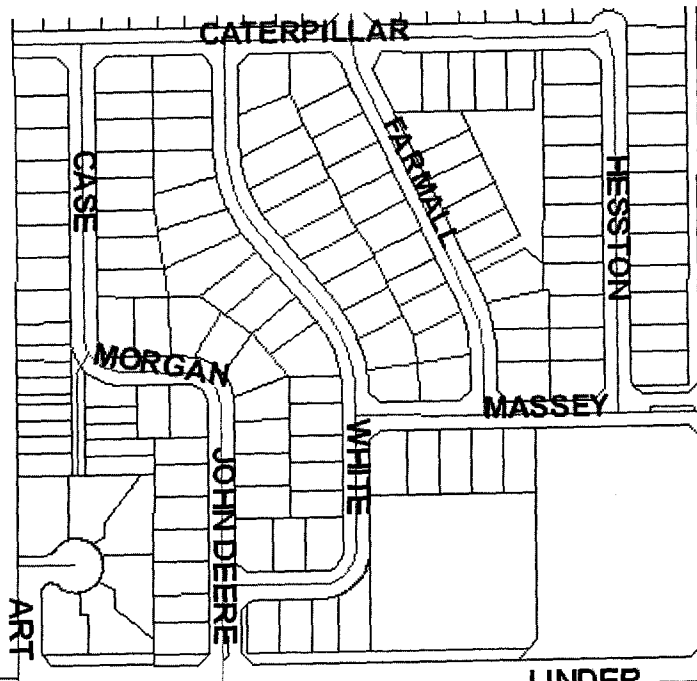
On this 12th day of November, in  
the year of 1985, before me the  
undersigned, a notary public,  
personally appeared Jackie Fred Roberts

STATE OF IDAHO, COUNTY OF Ada

I hereby certify that this instrument was filed for record  
at the request of PIONEER TITLE CO.

at 35 minutes past 3 o'clock P.m.,  
this 19th day of NOV  
19 85 in my office, and duly recorded in Book  
of Deeds at page

**EXHIBIT A**  
JOHN BASTIDA



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RAPID CREEK

EXHIBIT B